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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,901	10/06/2003	Mohammad El-Haj	MSFT13 (010756.104518)	3800

22971   7590   06/27/2007
MICROSOFT CORPORATION
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EXAMINER
SHAH, AMEE A

ART UNIT	PAPER NUMBER
3625	

NOTIFICATION DATE	DELIVERY MODE
06/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com
ntovar@microsoft.com
a-rydore@microsoft.com

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Interview Summary	10/679,901	EL-HAJ, MOHAMMAD
	Examiner	**Art Unit**	
	Amee A. Shah	3625	

All participants (applicant, applicant's representative, PTO personnel):

(1) _Amee A. Shah_.   (3)_____.

(2) _Daniel T. McGinnity_.   (4)_____.

Date of Interview: _12 June 2007_.

Type: a)☒ Telephonic   b)☐ Video Conference
        c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: _18_.

Identification of prior art discussed: _Bandhole, Nanja, Hui_.

Agreement with respect to the claims f)☐ was reached.   g)☒ was not reached.   h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _See Continuation Sheet_.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

YOGESH C. GARG
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

_____
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant interprets Bandhole and related application Nanja as pre-allocating memory such that the user selects from the existing configured options and Examiner interprets Bandhole as allowing the user to select options and then configures the memory according to those options (paragraphs 0054-0055), with Nanja simply showing user interfaces for selecting options. Further, applicant discussed that Bandhole and Nanja do not discuss with much specificity and/or clarity whether or in what way the user chooses the options for the system to configure, whereas applicant's invention has much more detail. No agreement was reached as to the differing interpretations and the claims .

304170.01

Applicant Initiated Interview Request Form

Application No.: 10/679,901   First Named Applicant: El-Haj
Examiner: Amee Shah   Art Unit: 3625   Status of Application: Pending

Tentative Participants:
(1) Amee Shah   (2) Dan McGinnity
    (Fax: 571-273-8116)
(3)_____   (4)_____

Proposed Date of Interview: 6/12/07   Proposed Time: 10:30AM (AM/PM)
                                                          EST

Type of Interview Requested:
(1) [x] Telephonic   (2) [ ] Personal   (3) [ ] Video Conference

Exhibit To Be Shown or Demonstrated: [ ] YES   [x] NO
If yes, provide brief description:_____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1)_____	_____	_____	[ ]	[ ]	[ ]
(2)_____	_____	_____	[ ]	[ ]	[ ]
(3)_____	_____	_____	[ ]	[ ]	[ ]
(4)_____	_____	_____	[ ]	[ ]	[ ]

[x] Continuation Sheet Attached

Brief Description of Arguments to be Presented:

See Attached Sheet

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).
This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Daniel T. McGinnity, #55444/

Applicant/Applicant's Representative Signature
Daniel T. McGinnity

Typed/Printed Name of Applicant or Representative
55,444

Registration Number, if applicable

Examiner/SPE Signature

Description of the application

Directed towards operating a subscription-based virtual computing services provider and for providing virtual computing services to subscribers. Basically allows for multiple user to subscribe to the service and for each individual user to select unique settings for their virtual computing services. Such settings include: Non-Volatile Storage Capacity, Operating Systems, Applications, Updating and Backup.

Summary of References

Tremain – directed towards providing one or more computer services to a plurality of customers. The system sets up on a real computer at least one virtual machine for each of the customers having a specification specified by the respective customer. A customer will typically pay the apparatus provider/operator for making the virtual machine available, perhaps by regular subscription.

Bandhole – His invention enables computing to be provided as a packaged product or as a remote resource to users. Computing is delivered as a product or a resource by providing dynamic computing environments to users based on users' choices of virtual components (hardware, software, or network components). A customer can choose the components and configure a computing environment. The system selects apreconfigured eg, existing system to provide the user the selected environment, It does not appear in Bandhole, that a storage is dedicated to the user.

Banka – Basically describes a network system for allowing multiple customers to access network dependent application services. Subscribers may enter into a contract that provides them with the ability to access one or more application and/or services hosted by the provider. Banka only teaches a system where customers are allowed to use applications and services provided by a provider, and is completely devoid of any type of storage specific to a user, on which an operating system and any other application desired by a user may be installed.

Nanja – Discloses a user interface for creating a dynamic computing environment using allocable resources. Based on the selections made by the user, the configuration server allocates a computer (again an existing system) with the requested operating system and other application software.

Analysis.

It is noted that the arguments as to claim 1 in the Office Action are incomplete. Therefore, the rejection of Claim 18 is discussed

First off, the examiner says Banka describes the overall structure of the present invention, mainly the notion of providing computing services to a user through the use of that user's specific virtual non-volatile storage space. However, Banka only teaches a system where customers are allowed to use applications and services provided by a provider, and is completely devoid of any type of storage specific to a user, on which an operating system and any other application desired by a user may be installed.

Further, Banka as well as all of the references, in no way disclose "enabling access to and use of the virtual non-volatile storage as desired by the subscriber via the server computer during a communication session between the server computer and the subscriber device." Thus, a customer has the freedom to do whatever desired with their allocated virtual memory, much as they would be able to do with their own personal hard drive.

A main point is that no matter what way you combine the references, the feature that none of them disclose, teach, or suggest is "a portion selectable to specify an operating system from at least two operating systems options, said server computer operable to install a selected operating system to the **virtual non-volatile storage to provide the virtual computing services."** Using preconfigured systems, is not the same as installing of particular items, on a designated storage space, responsive to user selection via a user interface, as is contemplated by the claims as presently recited.

In addressing this statement for claim 18, the Examiner sites to Figs. 2, 5-8, 10 & 11 and col. 6 lines 51-67 of Nanja for support. However, Nanja is not directed towards this but rather says "Based on the selection made by the user, the configuration server **allocates a computer with the requested operating system and other application software.**" Allocating a computer with the requested operating system is not the same as installing an operating system to the virtual non-volatile storage because allocating a computer simply means assigning a computer that already has the operating system installed.

Further, the Examiner says that Nanja teaches a user interface with a portion to enable a subscriber to select a **non-virtual storage** from at least two configuration options. Nanja mentions that this would be desirable, and even by doing so, he still falls short from what is claimed. The claim is directed at a user interface which allows a customer to specify the storage capacity of **virtual non-volatile storage** from at least two storage capacity options. There is a HUGE difference between virtual and non-virtual storage, and since there is and Nanja is only directed towards non-virtual memory, the Application transcends Nanja.

The Examiner further argues that it would have been obvious for Nanja to include the selection of a virtual non-volatile storage capacity to his user interface, however, what would be the motivation since Nanja is specifically directed towards physical hardware - "In another embodiment the user will be allowed to specify constraints on the hardware such as size of the hard disk (col. 6 line 59)." Nanja's invention in no way would benefit from virtual non-volatile storage as he is directed towards allocating a computer with all the requested configurations and not towards installing an operating system and applications onto a virtual non-volatile storage space allocated for a specific customer.